

ecoNews — Wire —

IOWA DEPARTMENT OF NATURAL RESOURCES

April 14, 2005

For immediate release

1. **Heavy rains cause wastewater bypasses in Royal; city plans improvements to treatment facility**
2. **Public comment period extended for Cedar Lake water quality plan**
3. **DNR enforcement actions**

HEAVY RAINS CAUSE WASTEWATER BYPASSES IN ROYAL; CITY PLANS IMPROVEMENTS TO TREATMENT FACILITY

ROYAL — Heavy rainfall over several days caused the city of Royal to bypass wastewater on Tuesday and Wednesday, but planned improvements for this summer should help reduce the frequency of future bypasses.

The city pumped from its sanitary sewer system to prevent sewage from backing up into basements. On Tuesday, it bypassed 780,000 gallons of untreated, but dilute, sewage into Spring Creek, a tributary of the Ocheyedan River. On Wednesday morning, the city bypassed another 225,000 gallons. High flows in the receiving streams should help to further dilute the wastewater.

Royal has a history of bypasses caused by precipitation events, and has applied for a Clean Water State Revolving Fund (CWSRF) loan from the DNR to help fund improvements that would reduce the number and duration of bypasses.

“We’ve worked with a number of communities like Royal— more than 230 projects in the last 15 years — to solve wastewater problems,” said Wayne Farrand, supervisor of the DNR’s wastewater construction section. “The CWSRF program provides funding and gives cities every opportunity to meet state requirements, which improves Iowa’s water quality.”

The CWSRF program has awarded over \$400 million in loans during the last 15 years. The program can assist communities that are under an enforcement action from the DNR,

but many cities — like Royal — apply for the program to prevent major problems and avoid possible enforcement actions, Farrand said.

CWSRF loan funds can be used by municipalities and sanitary districts to finance the design and construction of almost all publicly owned wastewater treatment and conveyance improvements. The CWSRF program provides loans at a 3 percent interest rate for publicly owned treatment works projects.

Royal has also been awarded a Community Development Block Grant to help fund the planned improvements.

For more information on the bypasses, contact Neil Cook at (712) 262-4177. For more information on the CWSRF program, contact Wayne Farrand at (515) 281-8877.

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PUBLIC COMMENT PERIOD EXTENDED FOR CEDAR LAKE WATER QUALITY PLAN

WINTERSET — The public comment period for the draft TMDL for Cedar Lake in Madison County has been extended until April 29, 2005. The draft TMDL can be found on the DNR's Web site at

<http://www.iowadnr.com/water/tmdlwqa/tmdl/publicnotice.html>.

TMDLs (Total Maximum Daily Load) are calculations used to determine how much of a pollutant a water body can receive and still maintain its designated uses, such as supporting aquatic life, allowing body contact such as swimming or use as a drinking water supply.

Comments or questions can be directed to Chris Van Gorp at 515-281-4791 or chris.vangorp@dnr.state.ia.us.

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DNR ENFORCEMENT ACTIONS

DES MOINES — The DNR took the following enforcement actions between February and March 2005, unless otherwise noted. Responsible parties have 30 days to appeal the charges or 60 days to pay the penalty. The following are only briefs; please contact Jessie Rolph of the DNR for more information at (515) 281-5131.

- David Bomgaars, of Sioux Center, was ordered to submit updated manure management plans (MMP) for 2003 and 2004, submit an annual compliance fee for 2004 and pay a \$2,500 penalty. The order is in regard to failure to submit an MMP and compliance fee for a site in Sioux County.

- Iowa Oil Company; HRV Petro, LLC; and Genesis Two Holdings, LLC; all of Dubuque, were ordered to submit the last 12 months of leak detection records, submit repair or replacement records, submit documentation of a three-year corrosion protection inspection (or perform the inspection and submit a report if the inspection has not occurred), and pay a \$6,300 penalty. The order is in regard to five underground storage tanks at a site on Depot Ridge in Dubuque. The order has been appealed.
- Fran Oil Company, of Council Bluffs, was ordered to submit monthly leak detection records and to pay a \$7,000 penalty. The order is in regard to three underground storage tanks at a site on Ninth Avenue in Council Bluffs. The order has been appealed.

In a separate administrative order, Fran Oil Company was ordered to pay a \$3,000 penalty. The order is in regard to failure to report a suspected and confirmed release within 24 hours. The order has been appealed.

- Stewart Construction, of Rock Rapids, was ordered to remove all illegally disposed solid waste at a gravel pit in Rock Rapids, submit documentation of proper disposal and pay a \$2,500 penalty. The order is in regard to illegal disposal and open burning of construction and demolition waste. The order has been appealed.
- Harold Wayne Linnaberry, of Toronto, was ordered to cease the improper disposal of solid waste and pay a \$1,000 penalty. The order is in regard to the improper disposal of appliances, construction demolition waste and various other solid waste materials on a site in Clinton County.
- Colleen Weber, of Osage, was ordered to remove all solid waste from a site in Mitchell County and pay a \$1,500 penalty. The order is in regard to open burning and open dumping of solid waste. The open burning produced large volumes of black smoke and other air pollutants. The order has been appealed.
- William Butterfield, of Mason City, was ordered to remove and properly dispose all solid waste at a site in Cerro Gordo County, and to pay a \$3,000 penalty. The order is in regard to the open burning of carpet, paint cans, fuel cans, plastic and various other solid waste materials. The order has been appealed.
- Reginald Parcel, of Mount Pleasant, was ordered to cease the open burning of waste materials, to properly dispose of all solid waste at a site in Henry County and to pay a \$1,000 penalty. The order is in regard to the open burning of household waste, tires and various other solid waste materials, which produced large volumes of black smoke and other air pollutants.
- Macedonia Implement Company, of Macedonia, was ordered to cease the open burning of solid waste, properly dispose of all solid waste at a site in Pottawattamie

County and pay a \$1,000 penalty. The order is in regard to the open burning of carpet, aerosol cans, cardboard, plastic, metal, wooden pallets, at least one tire and other waste materials, which produced large volumes of black smoke and other air pollutants, and to open dumping of household waste and tires. The penalty has been paid.

- Jim Dos, of Waterloo, was ordered to submit a complete manure management plan (MMP) and fees, and to pay a \$3,000 penalty. The order is in regard to failure to submit an MMP for a site in Black Hawk County.
- Mark Hoefling, of Odebolt, was ordered to submit a complete manure management plan (MMP) and fees, and to pay a \$3,000 penalty. The order is in regard to failure to submit an MMP for a site in Sac County.
- Patrick Jones, of Spencer, was ordered to submit a complete manure management plan (MMP) and fees, and to pay a \$1,500 penalty. The order is in regard to failure to submit an MMP for a site in Dickinson County. The order has been appealed.
- Justin Rausch, of Paullina, was ordered to comply with manure applicator certification requirements and to pay a \$2,000 penalty. Mike Rausch, also of Paullina, was ordered to submit a complete manure management plan (MMP) and fees, and to pay a \$3,000 penalty. The order is in regard to failure to submit an MMP for a site in O'Brien County, and for application of manure from the Mike Rausch confinement feeding operation without certification. This order was taken in November.
- Curt Tracy, of Diagonal, was ordered to submit an updated manure management plan and annual compliance fee, and to pay a \$750 penalty. The order is in regard to failure to submit an MMP and fee. The penalty has been paid. This order was taken in December.

Consent Orders

A consent order is issued in settlement of an administrative order or as an alternative to issuing an administrative order. A consent order indicates that the DNR has voluntarily entered into a legally enforceable agreement with the other party.

- Craig and Gloria Todd, of Washta, agreed to pay a \$10,000 penalty. The order is in regard to a September 2004 manure spill at a site in Ida County, which reached an unnamed tributary of Ashton Creek.

For more information, contact Jessie Rolph at (515) 281-5131 or Jessie.Rolph@dnr.state.ia.us.